

to his education; in the cemetery where Professor Da Ponte was buried, immediately after this body was lowered into the ground, Mr. Sektis broke out into a spasm of passionate grief and most frantic energy, he raved and tore up and down the grassy, shrieking, and, I might even say, yelling—so much so that it was impossible for us, who were his friends, to mollify him in any measure by words; we were obliged to take hold of him, and by friendly force restrain him; and thus ultimately we took him out of

Q Did he do any violence to his person or his garments, or anything of that sort?

A Witness—I cannot say positively as to that, but the impression I have is that he did wear his clothes as he has; and I cannot swear positively as to that, the impressions are very much impressed on my mind.

Q Is the statement now made by you one that was sought by the prisoner a counsel, or are you here in the sequence of a voluntary communication from you to the jury?

A Witness—It is not my duty to say that. It is not my duty to say that I used as being a piece of testimony which would be a benefit to Mr. Nickles.

Mr. Carlisle—It is not necessary to state that, nobody imputes improper motives to him.

Mr. Stanton—It is only to show that Mr. Nickles was in the place where he was taken place in

Mr. Brady—You can prove that Mr. Sickles did not rectly or indirectly apply to you his gift.

Mr. Carlisle—Nobody says he did.

Mr. Brady—I wish to exclude the possibility of that fact.

Mr. Carlisle—Nobody questions it.

To Mr. Ould—I cannot tell precisely what was Mr. Sickles's age at the time of that occurrence; it was in 1840. I suppose we would have called ourselves young men then.

Mr. Brady—Young America. [Laughter.]

Witness—We were about the same age; I am now 90 years of age; I cannot say how long this fraternal relation lasted; somewhere between five and ten minutes. Saw no trace of it the day following. I was not asked to return, as I graduated in 1838 and went to the New York Theological Seminary; do not recollect whether I saw Mr. Sickles the next day. I did see him two or three days afterward; did not notice any extraordinary or unusual appearance. I was not asked to return, as I appeared to be rather gutter-headed, and apparently too much so under the circumstances; his light-heartedness seemed unusual, in contrast with the grief he had exhibited a few days before; with remarks of great confidence.

Mr. Brady—Thank you, I ever saw; I have

To Mr. Carlisle—The latter incident was somewhere near the University; all traces of grief so far as I saw disappeared; it was such a very amusing thing that I am not able to recall more, the time or the circumstances; it was ephemeral, and I thought no more of it.

To Mr. Brady—As to this exhibition of levity, I have stated that it struck me as unusual in contrast with the remarkable exhibition he had made two days before, so that the reference on my mind was that he

was subject to very sudden emotions; this friendly  
I spoke of was employed for the pur-  
ose of lessening the demonstrations  
which he was making, which were aggravating the  
grief of the mourners, and which seemed so ex-  
cessive that we were apprehensive of some fur-  
ther violence to himself, and that his mind would  
tirely give away.

To Mr. Carlisle—Mr. Sickles was studying in the  
English and scientific classes, and did not graduate

Joseph B. Haw, examined by Mr. Brady.—Know Mr. Key; the last time I saw him was the morning of the day he was shot, between 10 and 12 o'clock, in Lafayette square; saw him come out of the west gate; he went toward Georgetown; last sight of him as he passed. I did not notice him looking at anything; I was with Mr. Hunt at the time, but did not see Mr. Key use his handkerchief, have known Mr. Key five or six years.

Major Hopkins, examined by Mr. Brady.—I am coachman for Col. Freeman, have been for two or six years; his house is between Fifteenth and Sixteenth streets, on H street; the last time I saw Mr. Key was on Sunday morning; he was shot about half past one; I was standing at Freeman's gate; I saw Mr. Key in the middle of Lafayette square walking back and forth, two or three times, to the Jackson statue; that was all I saw on Sunday; I did not see him do anything particular at

before the shooting; he walked past me five or six times; I saw him wave his handkerchief five or six times; Mrs. Sickle came out and joined him on the corner of H street and Madison place; I saw them go up Fifteenth street, and lost sight of them on the steps of John Gray's house.

Cross examined by Mr. Carlisle—It was either on Monday or Wednesday that I saw them, between 1 and 2 o'clock; Philip Lynch, the footman of Col. Freeman, was with me at the time; we did not follow the parties; we were on the box of the coach when we first saw him wave his handkerchief; we drove to Judge Wayne's; saw them while we were going back, and then drove to Mrs. Carlisle's.

Q. How tall are you?  
Witness—About five feet seven inches.

Q. Is she as tall as you?  
Witness—I guess not.  
Q. Is she five feet two?  
Witness—I can't say, I never measured her. [Ex-

Witness—I saw her with her veil up, and distinctly recognized her; it was a pleasant day, and the usual number of people were in the street; she had on a

Cross-examined by Mr. Ould, particularly as to his locality when he saw the parties, when it appeared that he was a square off at the time he took notice of her dress.

Witness.—To the best of my opinion that lady was Mrs. Sickles, because I had seen her coming out and going down Madison place with a key; the lady I saw in Fifteenth street wore the same clothes that Mrs. Sickles wore; this was between 2 and 3 o'clock.

A. To the best of my opinion, it was Mrs. S.

Examined by Mr. Brady—I live in Fifteenth street; my husband is the President's gardener; I knew Mr. Key; I saw him on the Wednesday before he was shot.

Q. Where did you see him?

Witness—I saw him going into a house on Fifteenth street; the next but one to where I live.

Mr. Carlisle tried to stop the answer. He supposed

There must be some point of time when the prisoner would hear and determine the question about this course of John Gray's. They were sitting along the direction of giving evidence of adultery. He desired to know and to have it determined whether his honor meant to admit, as competent evidence, facts tending to show previous adultery on the part of deceased with the prisoner's wife? They were sitting along, point by point, toward that subject, and if they did not make an objection now, he did not know when they

Mr. Brady would say a few words politely he hoped, in response to the prosecution. The defense was represented here, to the annoyance apparently of the attorney, by his several counsel. The

prosecution were represented by two counsel. For his part he wished it represented by six counsel. He would insist that Key was killed in an act of adultery, within the meaning of the law, and that that was proved within the testimony of the prosecution. He offered this evidence—first, to prove an adulterous intercourse and connection carried on between Mr. Key

and Mrs. Sickles by a standing agreement between them, dating further back than the hiring of this house in Fifteenth street, and connected with the hiring and furnishing of that house; and they would claim that where an adulterer hires a house and takes to it the wife of another man, daily or weekly, or whenever he could get her to go there, that was a case

habitual adultery. In other words, they are a house for when a man and woman go habitually to a house for the purpose of adultery, they are living in adultery all the time; and it was not necessary for the husband to wait for the disgusting exhibition of his own dishonor to slay the gorgon, and enticed and mortal adulterers; that was one aspect of this case. They had proved that Mr. Key was frequently seen before the house of Mr. Sickles waving a white